

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

Lauren Biegel, individually and on behalf of all others similarly situated

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Sheehan & Associates, P.C., 505 Northern Blvd Ste 311,
Great Neck, NY 11021-5101, (516) 303-0552

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 USC § 1332, False Advertising

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No Yes Judge Previously Assigned

If yes, was this case Vol. Invol. Dismissed. No Yes If yes, give date & Case No.

IS THIS AN INTERNATIONAL ARBITRATION CASE? No Yes

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS

ACTIONS UNDER STATUTES

CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/			[] 375 FALSE CLAIMS
[] 120 MARINE	[] 350 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	[] 625 DRUG RELATED	[] 422 APPEAL	[] 376 QUI TAM
[] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[] 400 STATE REAPPORTIONMENT
[] 140 NEGOTIABLE INSTRUMENT	[] 320 ASSAULT, LIBEL & SLANDER	[] 365 PERSONAL INJURY	PRODUCT LIABILITY	[] 423 WITHDRAWAL	[] 410 ANTITRUST
[] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[] 330 FEDERAL EMPLOYERS' LIABILITY	[] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY	[] 690 OTHER	28 USC 157	[] 430 BANKS & BANKING
[] 151 MEDICARE ACT	[] 340 MARINE	PERSONAL PROPERTY	PROPERTY RIGHTS		[] 450 COMMERCE
[] 152 RECOVERY OF DEFECTUAL STUDENT LOANS (EXCL VETERANS)	[] 345 MARINE PRODUCT LIABILITY	[*] 370 OTHER FRAUD	[] 820 COPYRIGHTS		[] 460 DEPORTATION
	[] 350 MOTOR VEHICLE	[] 371 TRUTH IN LENDING	[] 830 PATENT	[] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION	[] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
[] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[] 355 MOTOR VEHICLE PRODUCT LIABILITY	[] 360 OTHER PERSONAL INJURY	[] 840 TRADEMARK		[] 480 CONSUMER CREDIT
[] 160 STOCKHOLDERS SUITS	[] 362 PERSONAL INJURY - MED MALPRACTICE	[] 362 PERSONAL INJURY - MED MALPRACTICE		SOCIAL SECURITY	[] 490 CABLE/SATELLITE TV
[] 190 OTHER CONTRACT					
[] 195 CONTRACT PRODUCT LIABILITY	ACTIONS UNDER STATUTES	PRISONER PETITIONS	LABOR		
[] 196 FRANCHISE		[] 463 ALIEN DETAINEE	[] 710 FAIR LABOR STANDARDS ACT	[] 861 HIA (1395ff)	[] 850 SECURITIES/ COMMODITIES/ COMMODITIES/
		[] 510 MOTIONS TO VACATE SENTENCE	[] 720 LABOR/MGMT RELATIONS	[] 862 BLACK LUNG (923)	
		28 USC 2255		[] 863 DIWC/DIWV (405(g))	
				[] 864 SSID TITLE XVI	
				[] 865 RSI (405(g))	
		CIVIL RIGHTS	FEDERAL TAX SUITS		
		[] 530 HABEAS CORPUS	[] 740 RAILWAY LABOR ACT	[] 870 TAXES (U.S. Plaintiff or Defendant)	[] 890 OTHER STATUTORY ACTIONS
		[] 535 DEATH PENALTY	[] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	[] 871 IRS-THIRD PARTY	[] 891 AGRICULTURAL ACTS
		[] 540 MANDAMUS & OTHER	[] 790 OTHER LABOR LITIGATION	26 USC 7609	
			[] 791 EMPL RET INC SECURITY ACT (ERISA)		
REAL PROPERTY	[] 440 OTHER CIVIL RIGHTS (Non-Prisoner)		IMMIGRATION		
[] 210 LAND CONDEMNATION	[] 441 VOTING	PRISONER CIVIL RIGHTS	[] 462 NATURALIZATION APPLICATION		
[] 220 FORECLOSURE	[] 442 EMPLOYMENT		[] 465 OTHER IMMIGRATION ACTIONS		[] 893 ENVIRONMENTAL MATTERS
[] 230 RENT LEASE & EJECTMENT	[] 443 HOUSING/ ACCOMMODATIONS	[] 550 CIVIL RIGHTS			[] 895 FREEDOM OF INFORMATION ACT
[] 240 TORTS TO LAND	[] 444 AMERICANS WITH DISABILITIES - EMPLOYMENT	[] 555 PRISON CONDITION			[] 896 ARBITRATION
[] 245 TORT PRODUCT LIABILITY	[] 446 AMERICANS WITH DISABILITIES - OTHER	[] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT			[] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
[] 290 ALL OTHER REAL PROPERTY	[] 448 EDUCATION				[] 950 CONSTITUTIONALITY OF STATE STATUTES

Check if demanded in complaint:



CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?
IF SO, STATE:

DEMAND \$ 5,000,000 OTHER

Cloud-NES: A Self-Adaptive Cloud

JUDGE DOCKET NUMBER

[View Details](#)

DOCKET NUMBER

JURY DEMAND: YES NO

SURVEY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

- | | | | | | | |
|---|---|--|---|--|---|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input type="checkbox"/> a. all parties represented | | | | | | <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) |
| <input type="checkbox"/> b. At least one party is pro se. | | | | | | |

(PLACE AN x IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF 2 U.S. DEFENDANT 3 FEDERAL QUESTION 4 DIVERSITY
(U.S. NOT A PARTY)

BASIS OF JURISDICTION**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [x] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [x] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

Lauren Biegel, 102 Sarah Wells Trl, Campbell Hall NY 10916-3311, Orange County

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

Blue Diamond Growers, 1802 C St, Sacramento CA 95811-1010, Sacramento County

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: WHITE PLAINS MANHATTAN

DATE 4/15/2020

SIGNATURE OF ATTORNEY OF RECORD
/s/ Spencer Sheehan

RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO
[x] YES (DATE ADMITTED Mo. 07 Yr. 2012)
Attorney Bar Code # SS-2056

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.